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## **South Florida Water Management District**

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# **GOVERNING BOARD WORKSHOP AGENDA**

*This meeting is open to the public*

**June 9, 2010**

**12:00 PM**

**District Headquarters - B-1 Auditorium**

**3301 Gun Club Road**

**West Palm Beach, FL 33406**

*Pursuant to Section 373.079(7), Florida Statutes, all or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.*

*The Governing Board may take official action at this meeting on any item appearing on this agenda and on any item that is added to this agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes. The order of items appearing on the agenda is subject to change during the meeting and is at the discretion of the presiding officer. Public comment will be taken after each presentation and before any Governing Board action(s) except for Governing Board hearings that involve the issuance of final orders based on recommended Orders received from the Florida Division of Administrative Hearings.*

**1. Call to Order - Eric Buermann, Chairman, Governing Board**

**2. Pledge of Allegiance - Eric Buermann, Chairman, Governing Board**

**The meeting may go directly to Attorney Client Session and other agenda items will start no earlier than 1:30 PM**

**3. Approval of Minutes**

Approval of the Minutes for the May 12, 2010, Workshop and the May 13, 2010, Regular Business meetings held in Stuart, Florida

**4. Agenda Addendum - Jacki McGorty, District Clerk**

**5. Abstentions by Board Members from items on the Workshop Agenda**

**6. Pull Items for Discussion from Consent Agenda**

**Executive Office**

7. **Overview of SB550** - Robert M. Brown, Director, Environmental Resource Regulation (ext. 6283), and Ernie Barnett, Director, Legislative Affairs (ext. 2110)
8. **Draft FY11 Budget Discussion** - Mike Smykowski, Budget Director (ext. 6295)
9. **Public Comment**

#### **Executive Office**

10. **Attorney Client Sessions**

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in SFWMD v. Canal Investment, Inc., et al., Case No. 08-78867 CA 32. Consideration of Settlement Agreement for 15 parcels along C-4 Canal in Miami-Dade County.

ATTENDEES: Governing Board Members S. Batchelor, E. Buermann, J. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney, G. Waldman; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, K. Burns, J. Nutt, F. Bartolone, K. Williams. (Sheryl. G. Wood, ext. 6976)

#### Action Items (if any) Stemming from Attorney Client Session

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in SFWMD v. Canal Investment, Inc., et al., Case No. 08-78867 CA 32. (Sheryl. G. Wood, ext. 6976)

11. Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in United States of America v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno.

ATTENDEES: Governing Board Members S. Batchelor, E. Buermann, J. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney, G. Waldman; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, K. Burns, J. Nutt, F. Bartolone. (Sheryl. G. Wood, ext. 6976)

#### Action Items (if any) Stemming from Attorney Client Session

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in United States of America v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno. (Sheryl. G. Wood, ext. 6976)

12. Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in Miccosukee Tribe of Indians of Florida, et al. v. South Florida Water Management District, Supreme Court of Florida, Case No. SC09-1817, and New Hope Sugar Company, et al. v. South Florida Water Management District, Supreme Court of Florida, Case No. SC09-1818.

ATTENDEES: Governing Board Members S. Batchelor, E. Buermann, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney, G. Waldman; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, K. Burns, J. Nutt, F. Bartolone, D. Moore. (Sheryl G. Wood, ext. 6976)

Action Items (if any) Stemming from Attorney Client Session

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in Miccosukee Tribe of Indians of Florida, et al. v. South Florida Water Management District, Supreme Court of Florida, Case No. SC09-1817, and New Hope Sugar Company, et al. v. South Florida Water Management District, Supreme Court of Florida, Case No. SC09-1818. (Sheryl G. Wood, ext. 69976)

13. Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in B & E Ranch & Grove, LC. v. South Florida Water Management District, Nineteenth Judicial Circuit, Okeechobee County, Case No. 2007-CA-19; Chandler, et al. v. South Florida Water Management District, Nineteenth Judicial Circuit, Okeechobee County, Case No. 2007-CA-110; and Estate of Marvin Thomas, et al. v. South Florida Water Management District, Nineteenth Judicial Circuit, Okeechobee County, Case NO. 2007-CA-20.

ATTENDEES: Governing Board Members E. Buermann, J. Collins, S. Batchelor, G. Waldman, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, J. Nutt, K. Williams, F. Bartolone. (Sheryl G. Wood, ext. 6976)

Action Items (if any) Stemming from Attorney Client Session

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in B & E Ranch & Grove, LC. v. South Florida Water Management District, Nineteenth Judicial Circuit, Okeechobee County, Case No. 2007-CA-19; Chandler, et al. v. South Florida Water Management District, Nineteenth Judicial Circuit, Okeechobee County, Case No. 2007-CA-110; and Estate of Marvin Thomas, et al. v. South Florida Water Management District, Nineteenth Judicial Circuit, Okeechobee County, Case NO. 2007-CA-20. (Sheryl G. Wood, ext. 6976)

- 14.** Attorney client session pursuant to Section 286.011(8) Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in Ann Teitelbaum, et al. vs. South Florida Water Management District, 11th Judicial Circuit, Miami-Dade County, Florida Case No. 04-21282 CA15. (Sheryl G. Wood, ext. 6976)

ATTENDEES: Governing Board Members E. Buermann, J. Collins, M. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, E. Artau, J. Nutt, P. Nettleton.

Action Items (if any) Stemming from Attorney Client Session

Attorney client session pursuant to Section 286.011(8) Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in Ann Teitelbaum, et al. vs. South Florida Water Management District, 11th Judicial Circuit, Miami-Dade County, Florida Case No. 04-21282 CA15. (Sheryl G. Wood, ext. 6976)

- 15. Adjourn**